

Appl. No. 10/727,778
Response to Office Action mailed July 29, 2005

Atty Dkt. No. 114214-005

REMARKS

The non-final Office Action was issued on pending claims 1-12. Claims 1-12 stand rejected. In this Response, claims 1, 5, 10 and 12 have been amended, claims 2-4, 6-9 and 11 have been cancelled, and no claims have been added. Thus, claims 1, 5, 10 and 12 are pending in the application.

Applicant invites the Examiner to call Applicant's Representative to discuss any issues with this application.

Claim Rejections – 35 USC §103(a)

In Office Action paragraph 2, claims 1-4, 9 and 10 were rejected under 35 U.S.C. §103(a) as being unpatentable over Suzuki et al. (US 4,922,585) in view of Cook et al. (US 4,099,838). In Office Action paragraph 3, claims 5-8, 11 and 12 were rejected under 35 U.S.C. §103(a) as being unpatentable over Okeya et al. (US 5,728,448) in view of Cook et al. Applicant respectfully disagrees.

Independent claims 1 and 5 have been amended to clarify the claims. The amendments to claims 1 and 5 are supported by claims 9 and 11, the specification at page 15, lines 8-9, and Figs. 7-9. Thus, new matter has not been added. Claims 2-4, 6-9 and 11 have been cancelled without prejudice. Claims 10 and 12 have been amended to properly depend from claims 1 and 5, respectively.

According to independent claim 1, the present invention is directed to a reflective slide fastener containing retroreflective materials applied to the surfaces of the fastener tapes and/or coupling elements. The reflective slide fastener, as claimed in claim 1, calls for the retroreflective material applied to the surfaces of the fastener tapes and/or coupling elements to be adapted to allow the color of the fastener tapes and/or coupling elements to be seen therethrough. According to independent claim 5, the present invention is directed to a reflective tape. The reflective tape, as claimed in claim 5, calls for the retroreflective material in the tape to be adapted to allow the color of the tape to be seen therethrough.

Independent claims 1 and 5 have been amended to clarify the claims. In both the reflective slide fastener of claim 1 and the retroreflective tape of claim 5, the reflective material is a transparent or translucent retroreflective material containing a layer of glass beads, a

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reflective layer which is disposed on the layer of glass beads and is formed from a metal compound having permeability to light, and a colored reflective layer made of a transparent resin containing a reflective pigment and being arranged under the reflective layer. Applicant respectfully submits none of the references relied on in the Office Action to reject the claims disclose or suggest such features.

As acknowledged in the Office Action, both Suzuki et al. and Okeya et al. fail to disclose that the reflective material allows the color of the substrate to be seen therethrough.

As to Cook et al., Applicant respectfully submits Cook et al. does not describe, show or suggest the reflective material of the present invention, i.e., a transparent or translucent retroreflective material containing a layer of glass beads, a reflective layer which is disposed on the layer of glass beads and is formed from a metal compound having permeability to light, and a colored reflective layer made of a transparent resin containing a reflective pigment and being arranged under the reflective layer.

The retroreflective material of the present invention can provide advantages. Because the colored reflective layer (15) is made of a transparent resin containing a reflective pigment and is arranged under the reflective layer (14), when it is irradiated with light (under the conditions of retroreflection), part of the incident light from above is retroreflected by the reflective layer (14). Furthermore, part of light which has passed through the reflective layer is further retroreflected in the opposite direction to the incident direction of the light by the reflective pigments contained in the colored reflective layer (15). Therefore, the present invention can provide a satisfactorily high reflective luminance. (See the specification at page 5, lines 10-23). Further, since the colored reflective layer (15) contains the reflective pigment, such as a pearl pigment, the portion of the colored reflective layer (15) has a higher rate of retroreflection luminance as compared to the retroreflective material comprising only the layer of glass beads and the reflective layer. In an article such as a fastener tape to be attached to an article of clothing, the area of the retroreflective material which appears on the clothing is small. Accordingly, it is desirable for the retroreflective material to have a higher reflective luminance. The retroreflective material of the present invention contains the colored reflective layer made of a transparent resin containing the reflective pigment and being arranged under the reflective layer in order to provide a higher reflective luminance.

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Turing back to Cook et al., Cook et al. does not describe, show or suggest a retroreflective material including, a colored reflective layer as claimed by Applicant in claims 1 and 5. The patterned layer (25) of Cook et al. does not contain a reflective pigment (see Cook et al., column 7, lines 31-33). The Cook et al. reflective layers 24 and 26 are not a colored reflective layer made of a transparent resin containing a reflective pigment.

The Office Action at page 3 asserts that the reflective material of Cook et al. includes a colored reflective layer containing a reflective pigment and being arranged under the reflective layer based on the description at column 3, lines 10-18. Contrary to that assertion, however, Cook et al. describes that layer as a third layer which is an adhesive layer (27) that may or may not be transparent. Cook et al. also states that the layer may be a backing that provides support for a sheet material that is useful by itself rather than by application to some other article; in that case it may be either opaque, as through inclusion of dyes or pigments, or transparent. That is, Cook et al. teaches that when the adhesive layer contains dyes or pigments, it becomes opaque rather than transparent. Further, Cook et al. does not disclose or suggest the inclusion of the reflective pigment such as a pearl pigment.

Therefore, claims 1 and 5 are allowable over the cited references. Dependent claims 10 and 12 are allowable at least for the reasons that claims 1 and 5 are allowable.

Thus, Applicant submits that the §103 rejections should be withdrawn.

CONCLUSION


For the foregoing reasons, Applicant submits that the patent application is in condition for allowance and requests a Notice of Allowance be issued.

Respectfully submitted,

EVEREST INTELLECTUAL PROPERTY LAW GROUP

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BY


Michael S. Leonard, Reg. No. 37,557
P.O. Box 708
Northbrook, IL 60065
Phone: (847) 272-3400